

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

NSIGHT, INC.,

No. C 04-3836 MMC (MEJ)

Plaintiff,
v.

**ORDER DENYING PLAINTIFF'S
MOTION TO PERMIT REILING OF ITS
MOTION FOR SUMMARY JUDGMENT**

PEOPLESOFT, INC.,
Defendant

Before the Court is plaintiff's "Motion to Permit Refiling of Its Motion for Summary Judgment," filed November 3, 2006,¹ and defendant's opposition thereto.

Having considered the papers filed in support of and in opposition to the motion, the Court hereby DENIES the motion, for the reason plaintiff has failed to show good cause exists for the relief sought. The Court notes, however, that the Court likely will be considering many if not all of the same arguments in the context of plaintiff's opposition to defendant's motion for summary judgment; to the extent plaintiff demonstrates therein not only that defendant is not entitled to summary judgment but, further, that the undisputed facts establish plaintiff is entitled to summary judgment, the Court will issue an appropriate order.

IT IS SO ORDERED.

Dated: November 8, 2006


MAXINE M. CHESNEY
United States District Judge

¹Although plaintiff filed the above-referenced motion on November 3, 2006, plaintiff did not file a memorandum in support thereof until November 6, 2006.